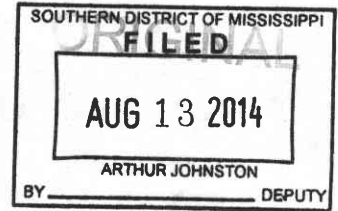


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION



OLLETTA JONES

PLAINTIFF

V.

CIVIL ACTION NO. 2:14cv128145-MTP

JONES COUNTY, MISSISSIPPI,
JONES COUNTY SHERIFF ALEX HODGE,
JONES COUNTY DEPUTY SHERIFF
ABRAHAM MCKENZIE, UNKNOWN
SHERIFF'S DEPUTIES 1-10

DEFENDANTS

COMPLAINT

COMES NOW, the Plaintiff, Olletta Jones, by and through the undersigned counsel, and files this Complaint against Defendants Jones County, Jones County Sheriff Alex Hodge, Jones County Deputy Sheriff Abraham McKenzie, and unknown Sheriff's Deputies 1-10. In support thereof, Plaintiff asserts as follows:

PARTIES

1. Plaintiff Olletta Jones is a Mississippi resident who resides in Newton County, Mississippi.
2. Defendant Jones County, Mississippi is a governmental entity of the State of Mississippi. The Defendant may be served with process through its registered agent, Chancery Clerk Larry Ishee, 415 N. 5th Avenue, Laurel, Mississippi 39440 or 101 N. Court Street, Ellisville, Mississippi 39437.
3. Defendant Jones County Sheriff Alex Hodge may be served at his place of employment, Jones County Sheriff's Department, 419 Yates Street, Laurel, Mississippi 39440.

4. Defendant Jones County Deputy Sheriff Abraham McKenzie may be served at his place of employment, Jones County Sheriff's Department, 419 Yates Street, Laurel, Mississippi 39440.

5. All unknown Defendant Sheriff's Deputies may be served with process at their place of employment, 419 Yates Street, Laurel, Mississippi 39440.

JURISDICTION

6. Jurisdiction of this Court arises under 28 U.S.C. § 1331 and 42 U.S.C. § 1983.

7. Further, the actions complained of constitute arbitrary governmental action in violation of the Fourth, Fifth, and Fourteenth Amendments to the United States Constitution.

FACTS

8. On or about February 22, 2014, the Plaintiff was attending a sporting event at Northeast Jones High School in Laurel, Mississippi when she was arrested without just cause and taken into custody by the Jones County Sheriff's Department and lodged in the Jones County jail.

9. As the Plaintiff was preparing to leave the Northeast Jones High School gymnasium, Deputy Sheriff Abraham McKenzie grabbed her arm, pulled her down multiple bleachers, twisting her arm, threw her to the floor, injuring her knee, and began dragging the Plaintiff towards the entrance of the gymnasium in the presence front of hundreds of people.

10. After arriving at the entrance to the gymnasium, Deputy Sheriff McKenzie, without just cause, began to spray mace at the onlookers, as well as the Plaintiff.

11. While spraying mace, Deputy Sheriff McKenzie released the Plaintiff and left her without saying a word.

12. After the Plaintiff had been sitting in a vehicle waiting over fifteen minutes for

relatives to return, three Jones County Deputies approached the vehicle, demanded she get out of the vehicle, and told her that she was under arrest. After the Plaintiff questioned why she was being arrested, a deputy informed her she was being arrested for disorderly conduct and resisting arrest.

13. The Plaintiff was handcuffed behind her back and placed in a Deputy Sheriff's vehicle where she was left for approximately an hour before a female deputy transported the Plaintiff to the Jones County Sheriff's Department.

14. The Plaintiff was placed in a jail cell without shoes until she was processed and finally released after posting a bond which stated that she would appear before a Justice Court Judge in Ellisville, Mississippi on March 26, 2014 at 2:00 p.m.

15. On March 26, 2014, the Plaintiff appeared before a Justice Court Judge in Ellisville, Mississippi. However, after a search by the court staff, it was discovered that there was no record in the court's system of the Plaintiff's arrest. After the Judge was provided with the Plaintiff's bond paperwork, he found that although the Plaintiff was arrested, no charges were brought against the Plaintiff and told her that she was free to go.

16. The Defendants were at all times acting under the color of state law.

CAUSES OF ACTION

COUNT ONE - VIOLATION OF 42 U.S.C. § 1983: ARREST

17. Plaintiff incorporates and adopts all prior paragraphs, averments, and statements.

18. At no time on or about February 22, 2014 did the Plaintiff violate any law.

19. Upon information and belief, the Defendants have a policy, practice, and/or custom of arresting individuals without probable cause.

20. As a result of the Defendants' unlawful arrest, the Plaintiff was subjected to an

unreasonable seizure, a clear deprivation of her Fourth and Fourteenth Amendment rights.

COUNT TWO - VIOLATION OF 42 U.S.C. § 1983: DETENTION

21. Plaintiff incorporates and adopts all prior paragraphs, averments, and statements.

22. Upon information and belief, the Defendants have a policy, practice, and/or custom of detaining individuals without probable cause.

23. As a proximate cause of the Defendants' unlawful and malicious detention and confinement, the Plaintiff was deprived of her liberty in violation of her Fifth and Fourteenth Amendment rights.

COUNT THREE - VIOLATION OF 42 U.S.C. § 1983: EXCESSIVE FORCE

24. Plaintiff incorporates and adopts all prior paragraphs, averments, and statements.

25. Upon information and belief, the Defendants have a policy, practice, and/or custom of using excessive force when arresting individuals.

26. As a result of Defendant Abraham McKenzie's use of excessive force in detaining the Plaintiff, she suffered substantial injuries to her shoulder and knee, along with other injuries.

27. As a proximate cause of the Defendants' unlawful policy, practice, and/or custom, and the use of excessive force, the Plaintiff was deprived of right to be free from unreasonable searches and seizures in violation of her Fourth Amendment rights.

RELIEF

WHEREFORE PREMISES CONSIDERED, the Plaintiff demands judgment for the causes of action listed herein for special, punitive, and compensatory damages, plus the costs of this action, including attorney's fees, and such other relief this Court deems just and equitable.

This the 12th day of August, 2014.

OLLETTA JONES, PLAINTIFF

By: 

FELECIA PERKINS, ESQ.

Mississippi Bar Number 10078

JESSICA AYERS, ESQ.

Mississippi Bar Number 103685

LAW OFFICE OF FELECIA PERKINS, P. A.

P.O. Box 21

Jackson, Mississippi 39205-0021

Office: (601) 352-5053

Facsimile: (601) 355-0173

felecia@feleciaperkins.com

jessica@feleciaperkins.com

Counsel for Plaintiff